U.S. Department of Homeland Security
500 12th Street, S.W., Stop 5009
Washington, D.C. 20536-5009

U.S. Immigration and Customs Enforcement

July 17, 2018

Ghita Schwarz, Esq.
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012

RE: ***Immigrant Defense Project, et al. v. ICE and DHS*, No. 14-cv-6117 (JPO)**

FOIA Case Number: ICE 2014-FOIA-01578; 2015-ICLI-00012

Dear Ms. Schwarz,

This letter is a supplemental release in response to your Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), dated October 17, 2013, for records relating to Department of Homeland Security (DHS) and ICE home-based enforcement operations, the subject of the above-referenced litigation in the U.S. District Court for the Southern District of New York.

This request is being processed under the FOIA, 5 U.S.C. § 552.

This release consists of fifty-four (54) pages and four (4) Excel Spreadsheets from ICE Enforcement and Removal Office and Office of Homeland Security Investigations. Portions of the documents will be withheld by ICE pursuant to FOIA exemptions (b)(6), (b)(7)(C) and (b)(7)(E) as described below.

ICE applied Exemptions 6 and 7(C) to protect from disclosure the names, e-mail addresses, and phone numbers of ICE and local law enforcement officers, ICE employees, and third parties contained within the responsive documentation.

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right privacy. The privacy interests of the individuals in the records requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

FOIA Exemption 7(C) protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate. The privacy interest

in the identities of individuals in the records requested outweighs any minimal public interest in disclosure of the information. Please note that any private interest you may have in that information does not factor into this determination.

ICE applied FOIA Exemption 7(E) to protect from disclosure non-public law enforcement techniques and processes, law enforcement sensitive database codes, internal identification numbers, navigation instructions, and information regarding internal queries of law enforcement databases. The release of technical information such as codes, numbers, instructions, and queries, would allow a person with unauthorized access to ICE's network or databases to potentially circumvent the law by avoiding detection and/or manipulating law enforcement sensitive information.

FOIA Exemption 7(E) protects records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. The disclosure of certain law enforcement sensitive information contained within the responsive records could reasonably be expected to risk circumvention of the law. Additionally, the techniques and procedures at issue are not well known to the public.

If you have any questions about this response, please contact Peter Aronoff with the United States Attorney's Office at (212) 637-2697.

Sincerely,

Rolando Velasco for

Catrina M. Pavlik-Keenan
FOIA Officer

Enclosure(s): Records 54 pages
(4) Excel Spreadsheets

cc: Peter Aronoff
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